

JAN 21 2003

STATE OF ARIZONA
DEPARTMENT OF INSURANCEDEPT. OF INSURANCE
BY Kate

In the Matter of:

KENT MAERKI,

Respondent.

No. 02A-214-INS

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

On December 24, 2002, the Arizona Department of Insurance ("Department") issued a Notice of Hearing (the "Notice") in the above-captioned matter, a copy of which is attached and incorporated by this reference. The Notice required Kent Maerki ("Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On January 15, 2003, counsel for the Department filed a Request for Default, and Proposed Findings of Fact, Conclusions of Law and Order. As of this date, Respondent has not responded to the Department's request. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

CONCLUSIONS OF LAW

1. The conduct alleged in the Notice constitutes grounds for the Director to suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona, pursuant to A.R.S. §20-295 (A) and (F).

...

...

...


ORDER

IT IS ORDERED:

1. The insurance producer's license held by Respondent is revoked effective upon the issuance of this Order.

2. The hearing set for January 29, 2003, at 9:00 a.m. shall be vacated.

DATED this 17th day of January, 2003.



CHARLES R. COHEN, Director
Arizona Department of Insurance

1 COPY of the foregoing mailed this
2 21st day of January, 2003, to:

3 Kay Abramsohn
4 Administrative Law Judge
5 Office of Administrative Hearings
6 1400 West Washington, Suite 101
7 Phoenix, Arizona 85007

8 Jennifer Boucek
9 Assistant Attorney General
10 1275 West Washington
11 Phoenix, Arizona 85007
12 Attorney for the Department

13 Gerrie L. Marks, Executive Assistant for Regulatory Affairs
14 Mary Butterfield, Assistant Director
15 Catherine O'Neil, Consumer Legal Affairs Officer
16 Del Wisecarver, Licensing Section
17 Bob Hill, Investigator
18 Arizona Department of Insurance
19 2910 North 44th Street, Suite 210
20 Phoenix, Arizona 85018

21 Kent Maerki
22 929 N. Val Vista Drive #107-311
23 Gilbert, Arizona 85234
24 Respondent

25 Kathy Linden
26 772377 [CPA01-355]